

HOUSE BILL 1271

By Favors

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 17, Part 4, relative to certain drug  
offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-418, is amended by deleting subsection (c) and substituting instead the following:

(c)

(1) Except as provided in subsections (d) and (e), a violation of this section is a Class A misdemeanor.

(2)

(A)

(i) A person who violates subsection (a) by possessing a small amount of marijuana not in excess of one-half (.5) ounce (14.175 grams), and who has no prior convictions under this section or for any other drug-related offense, is eligible to have all records of the violation expunged pursuant to title 40, chapter 32, upon the person completing the sentence imposed for the violation, including completion of any period of probation or a drug offender school, if imposed by the court.

(ii) A person whose simple possession of marijuana conviction has been expunged pursuant to this subdivision (c)(2) shall not be required to disclose such conviction on any employment application or interview.

(iii) Subdivision (c)(2)(A)(i) shall apply to any person meeting the requirements of subdivision (c)(2)(A)(i) whose violation occurred on or after July 1, 2009.

(iv) Subdivision (c)(2)(A)(i) shall apply to any person meeting the requirements of subdivision (c)(2)(A)(1) whose violation occurred prior to July 1, 2009, one (1) year after the completion of any sentence, including supervision or school, imposed by the court.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.